

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Theodore S. Varner,

Civil 10-4739 ADM/FLN

Plaintiff,

v.

O R D E R

Anoka County Sheriff's Department
ETAM

Defendants.

Based upon the Findings of Fact, Conclusions of Law, and Recommendation by United States Magistrate Judge Franklin L. Noel dated January 5, 2011, all the files and records, and no objections having been filed to said Report and Recommendation,

IT IS HEREBY ORDERED that:

1. Plaintiff's motion to proceed *in forma pauperis* [#2] is DENIED; and
2. This action is DISMISSED WITHOUT PREJUDICE.

DATED: _January 21, 2011

s/Ann D. Montgomery

at Minneapolis, Minnesota

JUDGE ANN D. MONTGOMERY
United States District Court